

REMARKS

Claims 1-17 are pending in the above-captioned application. The Office Action indicated that Claims 3 and 11-12 are withdrawn from further review as being drawn to a non-elected species.

The Office Action rejected Claim 2 under 35 U.S.C. § 112, second paragraph as being assertedly indefinite. Further, the Office Action rejected Claims 1 and 6-8 under 35 U.S.C. § 102 as being assertedly anticipated by Williams, U.S. Patent No. 5,976,025, ("Williams"). Claims 1-2 and 6 stand rejected under 35 U.S.C. § 102 as being assertedly anticipated by Florian, U.S. Patent No. 3,679,207 ("Florian"). Claims 4-5, 8-10 and 13-17 stand rejected under 35 U.S.C. § 103(a) as being assertedly unpatentable over Williams, some in view of Murray, U.S. Patent No. 6,780,120 ("Murray"), and others in view of Sundin, U.S. Patent No. 5,584,769, ("Sundin"), Hong, U.S. Patent No. 5,857,920, ("Hong"), Florian and Leek, U.S. Patent No. RE 33,169, ("Leek").

Although the applicant believes that the claims in their original form are patentably distinguishable over the cited references, in the interest of advancing prosecution, the applicant has amended Claim 1 to incorporate features that further distinguish the invention over the cited references. More specifically, the applicant has incorporated the feature that the club head has a first, second, third and fourth impact face with said first impact face extending substantially parallel to the axis of the shaft and said second, third and fourth impact faces extending at an incline relative to the axis of the shaft. In addition, Claim 2 has been amended to clearly describe the orientation of the shaft to the sole. No new matter has been added.

Briefly summarized, the invention of the present application is a golf club putter having a shaft with an upper end and a lower end and a club head secured to the lower end of the shaft that has four impact faces. The four impact faces of the club head include one longer impact

face at the front side, one longer impact face at the backside and between these two longer faces, two shorter side faces. The front side face is arranged parallel to the axis of the shaft, whereas, all of the other faces, i.e., the longer backside face and the two shorter side faces, are inclined relative to the axis of the shaft such that these faces form chipping impact faces having a loft when the part of the sole that is adjacent these chipping impact faces is arranged in parallel to the ground. The shaft is oriented substantially perpendicular to the sole of the club head and has a length such that the upper end is fixable as a pivot point approximately at the level of a golfer's chest. The shaft may be positioned along one of the golfer's arms for grasping by the hand of the arm for being swung backward and forward of the golfer about the pivot point.

Williams discloses a putter having a putter head with three impact faces, which are all intended to be used for putting only. Specifically, the impact faces of the front side and back side are parallel to the axis of the shaft. While the impact faces of the two shorter sides are inclined relative to the axis of the shaft, only one of these shorter side faces is intended to be used as an impact face and this face forms a substantially right angle, a putting angle, when the portion of the sole of the club head that is adjacent to this impact face is arranged parallel to the ground.

Florian discloses a putter having a putter head with one impact surface only. Sundin discloses a putter having a putter head with two impact faces, a front side and a back side impact face. One of these faces is parallel to the shaft and the other is inclined to the shaft such that it forms a chipping face. The side faces, which are not intended to be impact faces, extend in parallel to the shaft.

None of the cited references disclose a golf club putter having a club head with four impact faces, much less a club head having one putting impact surface and three chipping impact

surfaces. Accordingly, the applicant submits that Claim 1 of the present application is not anticipated by Williams or by Florian. Further, the applicant submits that the invention of Claim 1 is not made obvious by Williams or by Florian, either alone or in combination with one another or any other cited reference. Based on the foregoing, the applicant further submits that Claim 1, and all claims depending therefrom, are patentably distinct over Williams and Florian, either alone or in combination, and in combination with any other cited reference.

With regard to the rejection of Claim 15 over Williams in view of Florian or Leek, the applicant submits that none of these references, separately or in combination with one another disclose a method for putting a golf ball wherein a putter having an elongated shaft is used and whereby the putter shaft is held at the upper end of the shaft with one arm, which is against the golfer's chest, so that the shaft extends generally along the other arm of the golfer, which is hanging along the golfer's side. Williams discloses a golfer's arm crossing in front of his or her torso to hold the putter shaft. (Col. 3, Lines 56-57). Williams also discloses that in order to swing the putter according to the method of Williams, the hand crossing the torso must hold the shaft close enough to the hanging arm of the golfer to create an effect of the hanging arm and the shaft swinging as an integral unit, i.e., similar to throwing a ball underhanded). (Col. 3, Lines 58-62).

Florian discloses a putter comprising an elongated shaft that extends upwardly at an angle of approximately 10° relative to the vertical. (Col. 1, Line 52). According to Florian, the angulation of the shaft at 10° directs the shaft towards the golfer when the head is located generally off to one side of the golfer and brings the shaft towards the golfer. (Col. 1, Lines 60-34). Leek discloses a putter having a conventional length shaft whereby a golfer using the putter

must bend over at the waist to grasp the upper portion of the shaft with an arm that is bent and crossing over the golfer's waist. (See Figs. 1 & 2).

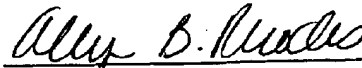
Accordingly, the combination of Williams and Florian or Williams and Leek fails to result in the invention of Claim 15. Further, combining Williams with Florian or with Leek would obviate the invention of Williams. Williams discloses holding the putter shaft such that it is line with the hanging arm of the golfer. Holding the putter shaft in this manner would be impossible if Williams were to be combined with Florian because the shaft of Florian extends at an angle of 10° from vertical. If the Williams putter shaft were angulated at 10° as taught in Florian, the shaft would extend across the torso of the golfer and make it impossible for a golfer to use the putter of Williams as it is taught to be used.

With regard to the combination of Williams and Leek, Williams discloses a putter with an elongated shaft, whereas Leek discloses a putter with a conventional shaft whereby the user must bend over to use the putter. In a similar fashion to what is described above, if Williams were combined with Leek, a golfer using the combined invention would no longer be able to hold the putter shaft such that the shaft is in line with the hanging arm of the golfer, as is taught in Williams. As such, the putter of Williams would no longer be used as it is taught to be used.

Based on the foregoing, the applicant submits that the invention of Claim 15 is not made obvious by Williams or by Florian or Leek, either alone or in combination with one another or any other cited reference. Based on the foregoing, the applicant further submits that Claim 15, and all claims depending therefrom, are patentably distinct over Williams, Florian and Leek either alone or in combination, and in combination with any other cited reference.

In conclusion, it is respectfully submitted that the application, including amended claims and specification, is in condition for allowance. Favorable reconsideration and passage of this application to allowance are respectfully requested.

Respectfully submitted,



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